

AGENDA
BOARD OF SELECTMEN
October 6, 2009
7:00 p.m.
Town Building

Public Input

Chairman's Comments

Town Administrator's Report

Meeting Minutes

7:15 p.m.: Public hearing

On change of municipal land use at 16 Crescent St to elementary school building parking, followed by Selectmen's vote on transfer.

Visitors

- 7:40 p.m.: Affordable housing proposal: Stow Community Housing Corp, Municipal Affordable Housing Trust, and Community Preservation Committee.

Action/Discussion

- Lions Club permit request for soliciting in a public way
- Seasonal No Parking signs on Whitman Street, Boon Road, and Sudbury Road and increase in fines for violations
- Board's positions on STM warrant articles
- Permission for MART van use by COA
- Public records management SOP
- Committee management SOP roll-out
- Minuteman Regional liaison assignment
- MAPC bike-rack grant program

Liaison Reports, if any

Correspondence

Adjournment

Posted 10/02/09

Correspondence

Town:

Cc of Planning Board letter to state legislators re LUPA and CPA-2 concerns, rec'd 9/15
Cc of MSBA letter to Michael Wood re guidance for submissions, rec'd 9/21
Planning Board notice of 10/13 public hearings for warrant articles on 1) zoning bylaw amendments and 2) proposal to re-zone parcel at 215 Harvard Rd , rec'd 9/21
Cc of resident letter to Building Commissioner re Lot 7 in Derby Woods, rec'd 9/22
DOR notice of Free Cash certification (unaudited) of \$604,198, as of 7/1/09, rec'd 9/23
Update on Minuteman Regional, including building project, from Alice DeLuca, rec'd 9/23
Letter from LUFT's Kathleen Willis from realtor re 5 acres abutting Highway land, rec'd 9/29
Cc of resident letter of appreciation to Town Administrator on "rapid, thorough, and courteous response" by Highway Department, rec'd 9/29
DHCD notice on 33 Elm Ridge Rd foreclosure and deed restrictions, rec'd 9/23
Tax Title Accounts report, as of 9/30, rec'd 10/1
ZBA decision on Lot 33 North Shore Drive, rec'd 10/2

General:

MBTA Advisory Board survey, due 10/15, rec'd 9/21

MMA annual photography contest announcement, 10/19 deadline, rec'd 9/21

Epstein & August, LLP Cable and Telecomm newsletter for September, rec'd 9/21
Membership solicitation from Suburban Coalition (\$250/yr), rec'd 9/23 (We are not members.)
MAPC notice on 10/9 GIC briefing, rec'd 9/29
Notice of Comcast price adjustment, rec'd 9/29

Selectmen's meeting motions, 10/6 /09

Change of use of municipal land, Fire Station land (from Town Counsel, motion for the Board of Selectmen; vote to be taken prior to Town Meeting)

I move that the Board of Selectmen declare that portion of the real property associated with the Fire Station located at 16 Crescent Street, Stow, Massachusetts, Assessor's Parcel ID U10-0090 as shown on the plan of land prepared by Symmes, Maini & McKee Associates, scale 1 inch = 40 feet and dated September 2, 2009, to be no longer needed for Fire Station purposes and to further request Town Meeting to permit the transfer of said portion of the above noted real property to the care, custody and control of the Board of Selectmen for use in conjunction with the expansion, use and future needs of the Center Elementary School.

Support of SCHC affordable housing project

I move that the Board support the Stow Community Housing Corporation project, as defined in Warrant Article 4 of the October 19, 2009 Special Town Meeting: Plantation Apartments Supportive Housing and Pilot Grove Expansion.

Lions Club request to solicit in a public way

If no: I move that the Board deny a permit to the Stow Lions Club to solicit donations within or about the intersection of Routes 117 and 62, it being a public way, on October 17.

If yes: I move that the Board issue a permit to the Stow Lions Club to solicit donations within the intersection of Routes 117 and 62, it being a public way, on October 17.

Amend Traffic Rules & Orders and permit installation of seasonal No Parking signs

I move that the Board approve the amended Traffic Rules & Orders, Article IV, Parking, Sections 1 and 2:

- 1) To Increase the fine for parking violations from \$5 to \$20 and,
- 2) To prohibit parking from September 1 to October 30 on
 - Boon Road both sides from Whitman Street to Gleasondale Road,
 - Sudbury Road, both sides from Whitman Street to Lakewood Ave, and
 - Whitman Street both sides, the entire length;
 - And to approve installation of seasonal No Parking signs on Sudbury, Boon, and Whitman roads, locations to be determined by the Public Safety Officer and Superintendent of Streets.

Votes on warrant articles

Already voted for elementary school building borrowing and SCHC affordable housing.
Are there others?

http://www.stow-ma.gov/Pages/StowMA_Selectmen/StowMA_SelectArchives/warrant%20STM%20Oct2009%20092409%20-%20kk.pdf

Permission for COA to use MART van out of state and future delegation to Bill

I move that the Board approve the COA's use of the MART van for its outing to the Cathedral in the Pines, Rindge, NH.

I move that the Board delegate authority to approve future COA use of the MART van for out-of-state trips to the Town Administrator.

Adopt Selectmen's Public Records Management Procedure

I move that the Board adopt the Selectmen's Office Records Management System, dated July 9, 2009,

Create Minuteman Career & Technical High School liaison

I move that the Board create a liaison position to the Minuteman Career & Technical High School.

I move that the Board appoint _____ as the liaison, for a term ending July 1, 2010.



Town of Stow
BOARD OF SELECTMEN

Stow Town Building
380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

Notice of Public Hearing

Pursuant to G.L. c.40, s.15A, notice is hereby given that the Board of Selectmen will conduct a public hearing on October 6, 2009 at 7:15 p.m. at the Town Building, 380 Great Road to consider the transfer of a portion of the real property currently under the care, custody and control of the Board of Selectmen for the use as a municipal Fire Station located at 16 Crescent Street, Stow, Massachusetts, Assessor's Parcel ID U10-0090, to the care, custody and control of the Board of Selectmen for use in conjunction with the expansion, use and future needs of the Center Elementary School, such expansion, use and future needs to be determined by the Board of Selectmen, said real property consisting of 2.16 acres, more or less and more fully described on the plan of land prepared by Symmes, Maini & McKee Associates, scale 1"= 40', and dated September 2, 2009.

Stephen M. Dungan
Chairman, Board of Selectmen

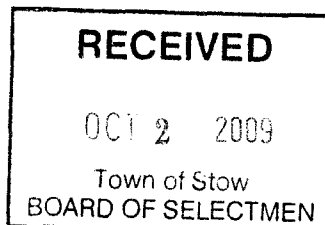
Posted September 18, 2009
The Stow Independent, 2x: September 23 and September 30, 2009

Lions white Cane Day, latest revision

10/01/09

Richard V. Bonetti
425 Taylor Rd.
Stow, MA 01775

Town of Stow
Board of Selectmen



The Stow Lions Club would like to hold a wh. Cane Day, Saturday morning, 10/17/09, from the Hrs. of 8:00AM to Noon at the junction of Rte's 117 and 62.

White Cane Day is one of the ways in which the Lions Clubs, throughout the world, ask the public for a contribution to continue through research and hands on eye care, to help eradicate reversable and preventable blindness.

We will have signage advertising white Cane Day and flyers to hand out. There are cities and towns which hold this event, some of which are Millis, Medway, Medfield Plainville to just name a few. In the town of Plainville, the current District Governor is Edward (Ned) Merick who is their former Police Chief. Ned is friends with Chief Trefery and can address any concerns of the Safety Officer, Sargent Lima.

All Lions Clubs are covered through Lions Clubs Internatioal whith a 1 mil, general liability policy with a hold harmless clause naming the Town of Stow as the ones held harmless. I will have a copy of the certificate emailed to the Selectmans Office.

All lions participating will be wearing safety vests and will provide whatever else is required by Officer Lima and the town.

Thankyou,

A handwritten signature in black ink, appearing to read "Richard V. Bonetti".

Richard Bonetti, Past District Governor, District 33K

cc: Sargent Lima

Stow Selectmen's Office

From: Jon Witten [jon@daleyandwitten.com]
Sent: Tuesday, September 29, 2009 12:27 AM
To: selectmen@stow-ma.gov
Cc: Bill Wrigley
Subject: Re: Lions Club solicitation on public ways?

Good Evening:

Without interfering with the prerogative of the Board of Selectmen—within whom this decision ultimately remains—I have great reservation regarding the concept of a “Toll Road” on a public way, particularly a way (or ways) that may be within the state right of way. (I am not certain as to whether this intersection is considered by the state as a portion of the state highway.

However, my opinion does not change if the state does not consider this intersection a portion of the state highway).

A “Toll Road” suggests that motorists will be forced/encouraged/requested to slow down even where the lights are green. Setting aside the public safety concerns (as apparently expressed by the Police Chief), forcing/encouraging/requesting motorists to stop for collection purposes comes dangerously close to delegating the Town’s authority to control and direct traffic for a fundraising—private—purpose. I do not believe that the collecting agency’s status is relevant and while no one would dispute that the Lion’s Club does good and charitable things, the potential for a motorist to misinterpret the collector’s efforts or somehow feel “trapped” by the “Toll Road” signage is too high for comfort. Put another way, the “Toll Road” (notwithstanding the proposed signs and likely identification worn by the collectors) could reasonably be mistaken by a motorist as the Town’s “Toll Road” or the Town’s collection attempt, given the obvious fact that the collection activity is occurring on Town owned (or state owned) roadways.

In addition to the perception issues discussed above and the liability issues implicated by this proposal (these are significant including, for example, whether the Town’s umbrella policy allows for added indemnification by the Lion Club’s policy and whether the Lion’s Club policy may properly offer such indemnification on town or state highways), the Selectmen would need to be very careful opening up fundraising efforts by private organizations on public property.

The slope is slippery here; approval of the Lion’s Club may very well lead to future requests by other private organizations who, like the Lion’s Club, do good things. But the Selectmen would then be confronted with the potential problem of saying “no” to a related organization, without rational basis and subjecting the Town, possibly, to a claim that the related organization was unfairly treated in light of the Selectmen’s approving the Lion’s Club request.

In sum, the Lion’s Club request raises many issues with regard to the public’s perception of who the collector’s represent, liability with respect to the Town’s insurance and the breadth of indemnification the Lion’s Club is willing to offer and the likelihood that the Selectmen will be approving a request made by one organization today that will be difficult to deny in the future when made by another organization(s).

9/29/2009

Please let me know if you'd like additional information or wish to discuss this further.

Thank you.

Jon

Jon D. Witten, Esq.
Daley and Witten, LLC
156 Duck Hill Road
Duxbury, MA 02332
781-934-0084
781-934-2666 (facsimile)

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In accordance with Internal Revenue Service Circular 230, we hereby advise you that if this e-mail or any attachment hereto contains any tax advice, such tax advice was not intended or written to be used, and it cannot be used, by any taxpayer for the purpose of avoiding penalties that may be imposed on the taxpayer by the Internal Revenue Service.

From: Stow Selectmen's Office <selectmen@stow-ma.gov>

Reply-To: <selectmen@stow-ma.gov>

Date: Mon, 28 Sep 2009 14:52:55 -0400

To: Jon Witten <jon@daleyandwitten.com>

Cc: Bill Wrigley <TownAdministrator@stow-ma.gov>

Subject: Lions Club solicitation on public ways?

Hi Jon,
Bill suggested I ask for your opinion on a request coming to the Board of Selectmen.

The Lions Club is asking the Board for a permit to set up a "Toll Road" on Sat, 10/17, at the intersection of Rts 117 and 62 (at the traffic lights at the Town center). The purpose is to collect donations from drivers who stop at the lights. The Lions also plan to put signage on the sides of the road. The people walking in the traffic will be citizens, not Town employees or public safety personnel.

Please send us your recommendations to the Board on whether or not to issue this permit and, if to issue it, under what conditions?

Misc notes:

Being the peak of the apple season in Stow, we can expect heavy traffic.

The Lion who called me said that the Lions have liability insurance that would cover whatever the Town requires. The firefighters do a "Pass the Boot" once a year but the Town has not permitted a private group to do this before. Our Police Chief is not in favor of this for public safety reasons.

Many thanks.
Susan

9/29/2009

Stow Selectmen's Office

From: O'Hara, Deborah [dohara@kscins.com]
Sent: Tuesday, September 29, 2009 10:29 AM
To: selectmen@stow-ma.gov; Gerry Davis
Subject: RE: Lions Club solicitation on public ways?

Good morning Susan,

I think town counsel hit the nail on the head that allowing this activity for the Lion's would set a precedent where the town would have to allow for other charitable groups. In regards to the question regarding the town's umbrella liability coverage, the policy does not cover outside groups on the underlying general liability or excess liability. Allowing this activity even if the Lion's have their own liability insurance still opens the town up to potential liability in the event of an accident where the town could be brought into a lawsuit. Due to heavy volume of traffic that you could have on a Saturday on a main road putting public safety first would be a very understandable response. I agree with the police chief and town counsel.

Best,

Deb O'Hara, CIC
Account Manager
Knapp, Schenck & Company Insurance Agency, Inc.
137 Lewis Wharf, Boston, MA 02110
(617) 742-3366 [main]
(617) 619-0230 [direct]
(617) 742-2832 [fax]
<http://www.knappschenck.com/>

Please note that insurance coverage can not be bound or altered without written confirmation from this office.

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From: Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]
Sent: Tuesday, September 29, 2009 10:00 AM
To: Gerry Davis
Cc: O'Hara, Deborah
Subject: FW: Lions Club solicitation on public ways?

Good morning Gerry and Deb,

The local Lions Club is requesting the Board of Selectmen to issue a permit for use to a public way in order for them to collect donations from drivers. This would occur on Saturday, Oct 17, at the traffic lights in the Town Center (near the Town Building which you visited recently).

The email below, starting from the bottom, is a description I sent to our Town Counsel Jon Witten and his response.

The request will be on the Selectmen's 10/6 agenda and I would appreciate your thoughts on issuing such a permit, particularly regarding the liability insurance issues that Jon notes.

Many thanks for your help with this.
Susan

Susan McLaughlin
Phoebe Haberkorn

9/30/2009

Stow Selectmen's Office

From: Mark H. Trefry [stowchief@comcast.net]
Sent: Friday, October 02, 2009 10:49 AM
To: selectmen@stow-ma.gov
Subject: Re: Lions Club solicitation on public ways?

Hi Susan,

Traffic is extremely heavy this time of year due to thousands of apple pickers that come and visit our town. It is not uncommon for traffic to back up for long distances during these busy weekends. Not only will this type of event cause additional traffic backup, it's dangerous to allow anyone to stand in the middle of the road. I agree with Town Counsel's view on liability issues and the comment made by Deb O'Hare about setting precedent. If we allow the Lion's Club, then whose next? I would ask that the Board of Selectmen deny the permit request due to the liability and safety related issues. Thank you.

Regards,
Chief Mark Trefry

----- Original Message -----

From: Stow Selectmen's Office
To: Mark Trefry
Sent: Thursday, October 01, 2009 2:51 PM
Subject: FW: Lions Club solicitation on public ways?

Hi Mark,
Here's where the Lions Club request stands at the moment. The email string starts at the bottom with my request for Jon Witten's opinion.

I appreciate your willingness to add your voice and Tim's to the discussion. It'll help folks make the best decision on this.

Many thanks.
Susan

Susan McLaughlin
Phoebe Haberkorn
Selectmen's Office
Town of Stow
978-897-4515

-----Original Message-----

From: Stow Selectmen's Office [mailto:selectmen@stow-ma.gov]
Sent: Thursday, October 01, 2009 2:10 PM
To: dick-33klions@comcast.net
Cc: Steve Dungan
Subject: FW: Lions Club solicitation on public ways?

Hello Dick,
Here are the responses from the Town's insurer and Town Counsel regarding the Lion's request to solicit donations at the Town Center intersection. For the correct sequence of the messages, please read from the bottom up. Jon French told me that you would no longer be calling the event a Toll Road, so we may disregard that section of Town Counsel's comments. The liability and precedent setting issues still apply.

Hi Steve,

10/2/2009

Stow Selectmen's Office

From: Mark H. Trefry [stowchief@comcast.net]
Sent: Friday, October 02, 2009 11:12 AM
To: Susan McLaughlin
Subject: Fw: Lions Club solicitation on public ways?

----- Original Message -----

From: tlima.stowpd@comcast.net
To: Mark H. Trefry
Sent: Friday, October 02, 2009 10:54 AM
Subject: Re: Lions Club solicitation on public ways?

Hi Susan,

I had the opportunity to review this request as well as view the comments of Town Counsel. Any additional comments from me would be redundant. I do not support the town granting a permit for this event. There is a significant public safety factor involved anytime untrained individuals are standing on our public ways. If I can assist you further, do not hesitate to contact me.

Thanks,

Tim

----- Original Message -----

From: "Mark H. Trefry" <stowchief@comcast.net>
To: "tlima stowpd" <tlima.stowpd@comcast.net>
Sent: Friday, October 2, 2009 7:40:19 AM GMT -05:00 US/Canada Eastern
Subject: Fw: Lions Club solicitation on public ways?

----- Original Message -----

From: [Stow Selectmen's Office](#)
To: [Mark Trefry](#)
Sent: Thursday, October 01, 2009 2:51 PM
Subject: FW: Lions Club solicitation on public ways?

Hi Mark,
Here's where the Lions Club request stands at the moment. The email string starts at the bottom with my request for Jon Witten's opinion.

I appreciate your willingness to add your voice and Tim's to the discussion. It'll help folks make the best decision on this.

Many thanks.
Susan

Susan McLaughlin
Phoebe Haberkorn
Selectmen's Office
Town of Stow
978-897-4515

10/2/2009

Stow Selectmen's Office

From: Stow Selectmen's Office [selectmen@stow-ma.gov]
Sent: Tuesday, September 22, 2009 1:10 PM
To: Tim Lima; Mark Trefry; Mike Clayton; Mike McLaughlin; Tom Ruggiero
Cc: Steve Dungan; Bill Wrigley
Subject: No Parking signs on Whitman, Boon, and Sudbury rds

Gentlemen,

Attached is a draft of revised Traffic Rules & Orders, amended per Tim's letter for the seasonal parking issue on Whitman, Boon, and Sudbury roads.

Please take a look at Article IV: Parking, pages 7-9, and let me know what should be added in terms of distances in feet or whatever other specs are required.

The Board of Selectmen can consider this and vote at the Oct 6 meeting. I'd like the revised pages to go into their meeting packets, so please send me the info by Weds, September 30.

Any questions or ways I can help, please let me know.

Many thanks.
Susan

10/2 All public safety have ok'd.

Susan McLaughlin
Phoebe Haberkorn
Selectmen's Office
Town of Stow
978-897-9649

10/2/2009

**TOWN OF STOW
STOW, MASSACHUSETTS 01775**

TRAFFIC RULES AND ORDERS

With amendments through October 10, 2006 6, 2009

At a meeting of the Board of Selectmen held in Stow on November 23, 1971 the following vote was duly passed:

The Board of Selectmen of the Town of Stow acting by virtue of the power given to it by Chapter 40, Section 22 of the General Laws (Ter. Ed.) and by virtue of any other power it hereto enabling, hereby adopts and makes the following rules and orders for the regulation of traffic upon the streets and highways of said town, the same to be known as Traffic Rules and Orders of the Town of Stow, insofar as the said rules and orders or any of them are the same as any valid regulations, rules and orders now in force, they shall be deemed to be a continuation thereof.

Article IV: Parking

Section 1. General Prohibitions

No person shall stand or park and no person shall allow, permit or suffer any vehicle registered in his name to stand or park in any of the following places:

- (a) Within an intersection.
- (b) Upon any sidewalk/byway. *(September 5, 1989)*
- (c) Upon or within 10 feet of any crosswalk. *(December 14, 2004)*
- (d) Upon the roadway in a rural or sparsely settled district.
- (e) Upon a roadway where parking is permitted unless both wheels on the right side of the vehicle are within twelve (12) inches of the curb or edge of the roadway, except upon those streets, which are designated as one-way streets. On such one-way streets vehicles shall be parked in the direction in which said vehicle is moving and with both wheels within twelve (12) inches of the curb.
- (f) Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.
- (g) Upon any street or highway within five (5) feet of a fire hydrant.
- (h) Upon a private access road or across a driveway. *(September 5, 1989)*
- (i) Upon any street or highway within twenty (20) feet of an intersecting way, except alleys.
- (j) Upon a street or roadway posted "No Parking". *(September 5, 1989)*
- (k) In a fire lane. *(September 5, 1989)*

The Penalty for violation of this section shall be a fine of ~~Five Dollars (\$5.00)~~ Twenty Dollars (\$20.00) for each offense. ~~(September 5, 1989)~~(October 6, 2009)

Article IV: Parking, continued

Section 2. Prohibited on Certain Streets

Upon the following streets or highways or parts thereof parking is hereby prohibited.

BARTON ROAD. Both sides, from a point 174 feet southerly of the junction of Pine Point Road a distance of 472 feet.

BOON ROAD, Both sides, from Whitman Street to Gleasondale Road, from September 1 to October 30.
(October 6, 2009)

COMMON ROAD. Northerly side, from the westerly intersection of Library Hill Road, easterly a distance of 100 feet.
(May 21, 1991)

CRESCENT STREET.

South side, from Library Hill Road easterly a distance of 74 feet.
(June 12, 1973)

South side, from Library Hill road westerly a distance of 80 feet.
(June 12, 1973)

North side, starting from a point 75 feet west of the intersection of West Acton Road, westerly for a distance of 196 feet.
(June 12, 1973)

South side, starting from a point 44 feet west of the intersection of West Acton Road, westerly for a distance of 285 feet.
(June 12, 1973)

Northerly side, from the westerly intersection with Great Road easterly a distance of 949 feet.
(January 3, 1979)

Northerly side, from the westerly intersection with Great Road, easterly a distance of 587 feet.
(March 25, 1980)

Northerly side, from a point 86 feet from the westerly intersection with Hartley Road easterly a distance of 346 feet.
(March 25, 1980)

GARDNER STREET. Both sides.

Article IV: Parking, continued

Section 2. Prohibited on Certain Streets, continued

GREAT ROAD.

Northerly side, between Pompositticut Street and Samuel Prescott Drive.

South side, from Center Place easterly a distance of 46 feet.
(September 23, 1975)

Northerly side, from the westerly intersection with Crescent Street
westerly a distance of 57 feet.
(January 3, 1979)

Northerly side, from the westerly intersection with Crescent Street, easterly a distance of
57 feet.
(December 14, 2004)

LIBRARY HILL ROAD.

West Side, from Crescent Street southerly for a distance of 118 feet.
(June 12, 1973)

East side, between Crescent Street and Great Road.
(June 12, 1973)

RED ACRE ROAD.

Westerly side, between Gardner Street and Great Road.

Westerly side, from Gardner Street northerly a distance of 210 feet.
(April 25, 1978)

Easterly side, from Great Road northerly a distance of 460 feet.
(April 25, 1978)

SUDBURY ROAD, Both sides, from Whitman Street to Lakewood Avenue, from September 1 to
October 30.

(October 6, 2009)

WHITMAN STREET, Both sides, the entire length, from September 1 to October 30.

(October 6, 2009)

Section 3. No All Night Parking.

It shall be unlawful for the driver of any vehicle, other than one acting in an emergency, to park
said vehicle on any street for a period of time longer than one (1) hour between the hours of 1:00
A.M. and 6:00 A.M. of any day (between December 1 of one year and March 31 of the succeeding



Town of Stow
POLICE DEPARTMENT
305 Great Road
Stow, Massachusetts 01775

(978) 897-4545
FAX (978) 897-3692

Mark H. Trefry
Chief of Police

September 3, 2009

Stow Board of Selectmen
380 Great Road
Stow, MA 01775

Honorable Members,

As a result of the traffic issues that arise during apple picking season, Chief Mark Trefry, Supt. of Streets Mike Clayton and myself, are requesting an addition to the towns Traffic Rules and Regulations relative to parking under Article IV. These additions include the following.

Posted "NO PARKING"

1. The entire length of Whitman Street.
2. Boon Road from Whitman Street to Gleasondale Road
3. Sudbury Road from Whitman Street to Lakewood Ave.

These new signs will read: No Parking September 1st to October 30th Tow Zone.

In addition to this, We suggest an amendment to the fine structure of article IV. The current assessment for a no parking violation is \$5.00 which has not been amended in twenty years. I would suggest increasing the fines for these violations to \$20.00

Thank you for your consideration in this matter, we look forward to hearing from you in the immediate future.

Respectfully,

Timothy Lima
Sergeant



Town of Stow
BOARD OF SELECTMEN

Stow Town Building
380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

October 6, 2009

Mr. Bruno Fisher
Montachusett Area Regional Transit Authority
1427R Water Street
Fitchburg, MA 01420

Dear Mr. Fisher:

In response to your September 24 request for the Board of Selectmen's approval of COA out-of-state trips using MART vehicles, this is to attest that on October 6, 2009 the Board voted unanimously to designate the Town Administrator, William Wrigley, as the Town of Stow official authorized to approve out-of-state trips using MART vehicles.

If you have any questions or need additional assistance, please feel free to contact me.

Yours truly,

Susan McLaughlin
Administrative Assistant
Board of Selectmen and Town Administrator

cc: Alyson Toole: COA Executive Director
 William Wrigley, Town Administrator

Records Management

II. RECORDS MANAGEMENT SYSTEM

The filing structure for the selectmen's administrative office appears in Appendix A, and the record retention table is shown in Appendix B. Most of the retention requirements were adapted from the Massachusetts Record Management Unit (RMU) tables. If a given item was not listed in the RMU tables, we made a reasonable assumption based upon other similar records.

"Correspondence" is not listed in the RMU tables. We have assigned a retention period of two years unless the correspondence item falls into one of the categories in Appendix B, in which case the retention period in Appendix B applies.

Emails are correspondence as defined above. The recipient is responsible for saving correspondence unless it is received from another town employee, official, or an appointee or volunteer serving on a town committee or board. In these cases, the sender is responsible for retaining the correspondence he/she generates. Note that the sender may be the original author or a person who replies to an email or forwards it to other(s). The sender is always responsible for saving correspondence sent to anyone outside of town government.

Electronic or "soft" copy storage is permitted for items with retention periods less than 10 years. Hard copy storage is required for items with retention periods greater than or equal to 10 years.

Records may not be destroyed without approval of the Supervisor of Public Records. The requirements are as follows:

1. To destroy records included on a retention schedule, one should submit to the Supervisor of Public Records two copies of a letter substantially in the form suggested by the sample shown below, indicating the schedule number, estimated volume, and the inclusive dates for each type of record to be destroyed. One copy of this letter will be returned to the requester with the approval of the Supervisor. Following receipt of this approval, all records included in the written request may be legally destroyed subject to any conditions specified thereon.
2. To destroy a record that is not presently included on a retention schedule, one should submit a letter in duplicate to the Supervisor indicating the title, inclusive dates of each item, and alternate sources (if any of the record and/or information contained thereon).
3. Before submitting destruction requests to the Supervisor, be sure that the records are not subject to any current or pending litigation or public records request and that the prescribed retention period has fully expired for each record to be destroyed. Where this refers to **completion of satisfactory audit or final settlement of levy**, included these or other variable dates so that the eligibility for destruction of the records in question may be checked.